

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5013 OF 2004

Office Notes, Office
Memoranda of Coram, Court's or Judge's orders
appearances, Court's
orders or directions and
Registrar's orders

Mr.P.S.Hingorani APP for the
applicant/State.

Coram : R.S.Mohite, J

Date : 6.3.2006.

PC

1. Heard APP. It appears that the respondent no.2 is dead. The main appeal therefore stands abated against respondent no.2. In this view of the matter, application is dismissed against respondent no.2. Respondent no.1 is served. In the circumstances, for the reasons which are mentioned in the application and which are accepted, the delay is condoned. Application stands disposed of.

(R.S.Mohite, J)

CRIMINAL APPEAL NO.52 OF 2003

1. As respondent no.2 is dead, the appeal against respondent no.2 is abated and only survives against respondent no.1. It appears that the impugned order dated 13.3.2003 dismissing the complaint was passed for want of appearance of the complainant. Hence, issue notice to the respondent no.1 returnable in 8 weeks. Notice to mention that the appeal may be finally disposed of at the stage of admission.

(R.S.Mohite, J)